

Message Text

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ORIGIN ACDA-10

INFO OCT-01 EUR-12 IO-13 ISO-00 PM-04 DODE-00 SS-15

CIAE-00 H-02 INR-07 L-03 NSAE-00 NSC-05 PA-01 PRS-01

SP-02 USIA-06 TRSE-00 EPA-01 DLOS-06 SAL-01 OES-06

AF-08 ARA-06 EA-07 NEA-10 /127 R

DRAFTED BY ACDA/IR:NWALDROP

APPROVED BY ACDA/IR:LSLOSS

IO/UNP:BOPPEL (SUBS)

ACDA/NTB:PCORDEN

PM/DCA:HPHELPS (SUBS)

OSD/ISA:DMAHLBERG (SUBS)

EUR/WE:JLIMPRECHT

C:JMONTGOMERY (SUBS)

S/S - LREDDY

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R 130207Z NOV 76

FM SECSTATE WASHDC

TO AMEMBASSY MADRID

INFO USMISSION USUN NEW YORK

C O N F I D E N T I A L STATE 279645

E.O. 11652: GDS

TAGS: PARM, US, SP, UNGA, CCD

SUBJECT: ENVIRONMENTAL MODIFICATION CONVENTION

REF: USUN 5187

1. DURING THE COURSE OF ITS SUMMER SESSION, THE
CONFERENCE OF THE COMMITTEE ON DISARMAMENT (CCD)
NEGOTIATED A DRAFT CONVENTION ON THE PROHIBITION OF
MILITARY OR ANY OTHER HOSTILE USE OF ENVIRONMENTAL
MODIFICATION (ENMOD) TECHNIQUES, AND TRANSMITTED THE
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DRAFT TEXT (BEING REPEATED TO EMBASSY BY SEPTTEL) TO THE

UNGA. US AND USSR SUBSEQUENTLY AGREED ON TEXT OF RESOLUTION TO BE FLOOR MANAGED BY FINLAND IN FIRST COMMITTEE WHICH WOULD ENDORSE TEXT OF CONVENTION AND REQUEST DEPOSITARY (UNSYG) TO OPEN IT FOR SIGNATURE AND RATIFICATION.

2. AT CCD, MEXICO AND ARGENTINA OPPOSED THE THRESHOLD APPROACH INCORPORATED IN CONVENTION WHICH LIMITS THE PROHIBITION TO HOSTILE USE HAVING "WIDESPREAD, LONG-LASTING OR SEVERE EFFECTS AS THE MEANS OF DESTRUCTION, DAMAGE OR INJURY," MAINTAINING THAT THE SCOPE OF PROHIBITION SHOULD BE COMPREHENSIVE. (FYI. PRESERVATION OF THRESHOLD APPROACH WAS A MAJOR US OBJECTIVE DURING

NEGOTIATIONS. END FYI.) HOWEVER, MEXICO AND ARGENTINA DID NOT BLOCK TRANSMISSION OF NEGOTIATED TEXT TO UNGA. MEXICO, HOWEVER, HAS SPOKEN AGAINST CONVENTION IN UNGA PLENARY AND IN FIRST COMMITTEE, AND HAS INTRODUCED A RESOLUTION WHICH WOULD REMAND CONVENTION TO CCD FOR FURTHER NEGOTIATION.

3. STATEMENT OF SPANISH REP (ELIAS) IN FIRST COMMITTEE ON NOVEMBER 4 INCLUDED FOLLOWING DISCUSSION OF THE ENMOD CONVENTION: QUOTE

HAVING MADE THESE POINTS, MY DELEGATION WISHES TO SAY THAT WE DO NOT BELIEVE THAT THE WORK OF THE CCD IN 1976 WAS ENTIRELY FRUITLESS, SINCE PART III OF ITS REPORT CONTAINS A SPECIAL REPORT ON A DRAFT CONVENTION ON THE PROHIBITION OF MILITARY OR ANY OTHER HOSTILE USE OF ENVIRONMENTAL MODIFICATION TECHNIQUES WHICH DESERVES THE CLOSE ATTENTION OF THE FIRST COMMITTEE. MY DELEGATION BELIEVES THAT ALL PEACEFUL INITIATIVES JOINTLY SPONSORED BY THE SOVIET UNION AND THE UNITED STATES SHOULD BE TAKEN INTO ACCOUNT AND DESERVE A FAVOURABLE RECEPTION, REGARDLESS OF THE FINAL POSITION WE MAY ADOPT IN EACH CASE, BECAUSE THE SPECIAL RESPONSIBILITIES WHICH BOTH POWERS HAVE ASSUMED IN THE MAINTENANCE OF WORLD BALANCE CONFER A SPECIAL

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IMPORTANCE ON THEIR AGREEMENT ON THE SUBJECTS BEFORE US. THIS CONSIDERATION IS OF PARTICULAR SIGNIFICANCE WHEN, AS IN THIS CASE, THEIR INITIATIVES DEAL WITH A FIELD THAT IS ALMOST NEW, NAMELY, THE SPIN-OFF FROM THE ARMS RACE. IT IS THEREFORE DESIRABLE THAT THIS INITIATIVE, WITH ALL DUE MODIFICATIONS, SHOULD BE TRANSFORMED INTO AN OPERATIVE REALITY AS SOON AS POSSIBLE.

MY DELEGATION HAS TAKEN NOTE OF THE COMMENTS MADE ON THIS MATTER BY THE SECRETARY FOR FOREIGN AFFAIRS OF MEXICO AT THE BEGINNING OF THIS DEBATE -- AND PRIMARILY OF HIS CRITICISMS OF ARTICLE I OF THE DRAFT CONVENTION. MY DELEGATION ALSO FEELS THAT PARAGRAPH 1 OF ARTICLE I OF THE DRAFT CONVENTION USES VERY UNUSUAL LANGUAGE WHEN IT DISTINGUISHES BETWEEN MILITARY AND HOSTILE USES OF THE TECHNIQUES UNDER DISCUSSION, AS IN THE SOMEWHAT BIZARRE ALTERNATIVES OF "WIDESPREAD, LONG-LASTING OR SEVERE EFFECTS" AND "DESTRUCTION, DAMAGE OR INJURY TO ANY OTHER STATE PARTY." HOWEVER, IN READING THE REPORT, IT IS EASY TO UNDERSTAND THAT EACH AND EVERY ONE OF THE LINGUISTIC INCONSISTENCIES OF THIS ARTICLE WERE

SUBJECTED TO VERY CAREFUL EXAMINATION IN THE COMMITTEE AND WERE THE SUBJECT OF A GOOD NUMBER OF OBSERVATIONS AND COMMENTS BY MEMBERS. THE FINAL WORDING WAS ARRIVED AT AS A COMPROMISE SOLUTION, OR AS THE SOLUTION THAT WOULD BE MOST ACCEPTABLE FROM AMONG ALL THE ALTERNATIVES PUT FORWARD IN THE SEARCH FOR A CONSENSUS.

MY DELEGATION RESERVES ITS RIGHT TO SPEAK ON THIS POINT LATER, IF NECESSARY, BUT WE NEVERTHELESS WISH TO EXPRESS OUR APPRECIATION TO THE COUNTRIES THAT SUBMITTED IDENTICAL TEXTS OF THE DRAFT TREATY AS WELL AS TO ALL THE MEMBERS OF THE COMMITTEE THAT PARTICIPATED IN THE DEBATE AND CONTRIBUTED TO DEVISING THE MODIFIED TEXT NOW BEFORE US. END QUOTE

4. ON NOVEMBER 10 GOVERNOR SCRANTON MET WITH SPANISH PERMREP DE PINIES IN NEW YORK (REFTEL), REQUESTING
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SPANISH CO-SPONSORSHIP AND SUPPORT OF THE ENMOD CONVENTION. GIVEN THE TONE OF SPANISH REMARKS IN FIRST COMMITTEE, AND GIVEN SPAIN'S POTENTIAL IMPORTANCE IN PREVENTING THE CRYSTALLIZATION OF A NON-ALIGNED, ESPECIALLY LATIN AMERICAN, BLOC IN SUPPORT OF THE MEXICAN RESOLUTION, WE THINK IT WOULD BE USEFUL FOR EMBASSY SPOKESMAN TO MAKE PRESENTATION TO APPROPRIATE MFA OFFICIAL. IN MAKING PRESENTATION, EMBASSY SPOKESMAN SHOULD DRAW ON FOLLOWING POINTS:

A. THE USG SHARES THE HOPE EXPRESSED IN NEW YORK BY THE SPANISH REPRESENTATIVE IN THE FIRST COMMITTEE THAT THE US-SOVIET INITIATIVE ON THE MILITARY AND OTHER HOSTILE USES OF ENVIRONMENTAL MODIFICATION TECHNIQUES BE TRANSFORMED INTO AN OPERATIVE REALITY AS SOON AS

POSSIBLE. WE FULLY SUPPORT THE ENMOD CONVENTION AS
NEGOTIATED AT THE CCD.

B. THE USG BELIEVES THE ENMOD CONVENTION IS A
SIGNIFICANT AND POSTIVE STEP IN THE FIELD OF
MULTILATERAL ARMS CONTROL, AND THAT IT WILL EFFECTIVELY
ELIMINATE SERIOUS DANGERS POSED BY THE MILITARY
OR ANY OTHER HOSTILE USE OF ENMOD TECHNIQUES. THE
SPANISH REPRESENTATIVE WAS QUITE CORRECT IN STATING
THAT THE FINAL WORDING WAS ARRIVED AT AS A COMPROMISE
SOLUTION, THE ONE THAT WOULD BE MOST ACCEPTABLE FROM
AMONG ALL THE ALTERNATIVES PUT FORWARD.

C. THE USG BELIEVES THE TEXT SHOULD BE ENDORSED AND
OPENED FOR SIGNATURE, PERMITTING THE CCD TO MOVE ON TO
OTHER IMPORTANT SUBJECTS.

D. THE USG WOULD GREATLY VALUE SPAIN'S DECISION TO
CO-SPONSOR THE UNGA RESOLUTION PRESENTLY BEING PUT
FORWARD BY FINLAND AND BY SIXTEEN OTHER COUNTRIES.
IN ANY CASE, WE WOULD WELCOME SPAIN'S SUPPORT FOR
THAT RESOLUTION.

5. THE DEPARTMENT WOULD APPRECIATE A PROMPT REPORT OF
SPANISH REACTIONS, WITH USUN INCLUDED AS AN INFORMATION
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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: DISARMAMENT, ENVIRONMENT, MEETING REPORTS, COMMITTEE MEETINGS
Control Number: n/a
Copy: SINGLE
Draft Date: 13 NOV 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: coburnhl
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976STATE279645
Document Source: CORE
Document Unique ID: 00
Drafter: NWALDROP
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D760424-0941
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19761150/aaaabrly.tel
Line Count: 201
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN ACDA
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 4
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 76 USUN NEW YORK 5187
Review Action: RELEASED, APPROVED
Review Authority: coburnhl
Review Comment: n/a
Review Content Flags:
Review Date: 12 MAY 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <12 MAY 2004 by MartinML>; APPROVED <02 SEP 2004 by coburnhl>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: ENVIRONMENTAL MODIFICATION CONVENTION
TAGS: PARM, US, SP, UNGA, CCD
To: MADRID
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006